DISTRICT COURT OF THE UNITED STATES WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:13-cv-595-FDW

LOWELL MASON VARNEY,)	
Plaintiff,)	
vs.)	
FNU MULLISK, et al.,)	<u>ORDER</u>
Defendants.)	
)	

THIS MATTER is before the Court on a periodic status review of this action brought by pro se Plaintiff pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on October 23, 2013, and on June 11, 2014, this Court conducted an initial review. (Doc. No. 15). As a result, all Defendants were terminated except for Defendant Bennett. On June 11, 2014, the Court mailed to Plaintiff a summons to be completed and returned for service. The docket report does not indicate that Plaintiff has returned a summons as to Defendant Bennett so that the U.S. Marshal can effectuate service.

IT IS, THEREFORE, ORDERED that, within twenty days of service of this Order, Plaintiff shall notify this Court why he has not returned a summons to the Court so that service can be effectuated on Defendant Bennett. If Plaintiff fails to respond to this Order in a timely manner, the Court may dismiss this action without prejudice and without further notice based on Plaintiff's failure to prosecute this action.

Signed on: January 21, 2015

Frank D. Whitney

Chief United States District Judge